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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : WEBER, Gerhard P.
SERIAL NO : 09/490,394
FILED : January 24, 2000
TITLE : HYBRID MAIZE PLANT AND SEED 39W54

OFFICIAL

Grp./A.U. : 1638
Examiner : FOX, David T.
Conf. No. : 7097
Docket No. : P04359US0 - PHI 1248

AMENDMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the communication from the Examiner dated November 14, 2003, it is respectfully requested that this Amendment be entered and made of record. Applicant respectfully requests reconsideration.

Introductory Comments

Claims 1-8, 12, 20, 21, 25, 33, and 41-58 are pending in the present application.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: January 23, 2004

FACSIMILE

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Lila A. T. Akrad

deposit of the representative seed of 39W54 and inbred parents (GE533274 x GE533275) and GE492318 should satisfy the description requirement. In light of the above, Applicant respectfully submits that the rejections under 35 U.S.C. § 112, first paragraph are improper and requests reconsideration and withdrawal of these rejections.

Applicant further acknowledges that claims 59-72 have been agreed upon as allowable by Supervisory Patent Examiner Amy Nelson as aforementioned, thereby placing these claims in form for allowance. Applicant has canceled all non-allowable claims thereby placing the application in condition for allowance and has complied with all requirements of form set forth in previous office actions.

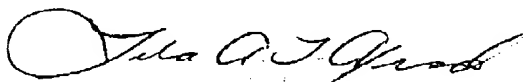
Conclusion

In conclusion, Applicant submits in light of the above amendments and remarks, the claims as amended are in a condition for allowance, and reconsideration is respectfully requested. If it is felt that it would aid in prosecution, the Examiner is invited to contact the undersigned at the number indicated to discuss any outstanding issues.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



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